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October 30, 2013

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The Honorable Alvin K. Hellerstein
United States District Court for the
Southern District Court of New York
500 Pearl Street, Room 1050
New York, New York 10007

They are adjourned to Dec. 6, 2013, 10ᵉ a — 10-31-13

Re: Oxford Health Insurance, Inc. et. al. v. Daniel Hamner, M.D., et. al.
         <u>USDC/SDNY Case No.: 13 CV375 (AKH)</u>

Dear Judge Hellerstein:

We represent defendants Daniel Hamner, M.D., Daniel Hamner Physician, P.C., Daniel Hamner, M.D., P.C., Richard Hamner, Erika Macbride, Raina Hamner and Rae Baymiller in the above-captioned matter.

In accordance with Rule 1(C) of your Individual Rules, we write to request an adjournment of the November 1, 2013 status conference so that we may continue our settlement discussions with Plaintiffs' counsel. This is our second request to adjourn the conference. On September 30, 2013 we requested that the Court adjourn the October 4, 2013 conference, which Your Honor granted and rescheduled the status conference to November 1, 2013.

All parties consent to the request. The reason for the current request is that we were only able to provide plaintiffs' counsel with a financial statement from Dr. Hamner's accountant last Friday and still need to provide them with his tax returns, which we will be doing very soon, afterwhich we plan on scheduling a meeting to try to discuss a resolution. The financial statement from the accounting took much longer than we had hoped or expected because Dr. Hamner's accountant was preoccupied with an October 15th tax deadline. Thank you for your consideration.

Respectfully submitted,

KAUFMAN BORGEEST & RYAN LLP

Jonathan B. Bruno

cc: Michael H. Bernstein, Esq. (via e-mail)
        John T. Seybert, Esq. (via e-mail)
        Richard Pu, Esq. (via e-mail)

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